

**DIVISION OF ENVIRONMENTAL HEALTH
SOLID WASTE PROGRAM
610 UNIVERSITY AVENUE
FAIRBANKS, AK 99709-3643**
<http://www.state.ak.us/dec/home.htm>

**Telephone: (907) 451-2108
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File Number: 630.15.001

October 9, 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED # 7099 3400 0015 5441

David L. Soulak, City Manager
City of Unalakleet
P.O. Box 28
Unalakleet, AK 99684

***Re: Unalakleet Landfill Solid Waste Disposal Permit #0132-BA005, Renewal of Permit
#9632-BA004***

Dear Mr. Soulak:

The Department of Environmental Conservation has completed its evaluation of your request for a renewal of a solid waste disposal permit, to allow for the operation and maintenance of a Class III municipal solid waste landfill near Unalakleet, Alaska in Section 23, T. 18 S., R. 11 W., Kateel River Meridian and a solid waste baler and temporary bale storage facility located within the city of Unalakleet in Section 3, T. 19 S., R. 11 W., Kateel River Meridian. The Department is issuing this permit in accordance with AS 46, 18 AAC 15, and 18 AAC 60. Please review the conditions and stipulations in the permit and ensure they are all understood. This permit is effective upon issuance and expires **September 30, 2006**.

Any person who disagrees with this decision may appeal the decision by requesting an adjudicatory hearing, using the procedures contained in 18 AAC 15.200-310. Hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 555 Cordova Street, Anchorage, Alaska 99501, within thirty (30) days of receipt of this letter. If a hearing is not requested within thirty (30) days, the right to appeal is waived. Even if an adjudicatory hearing has been requested and granted, all permit conditions remain in full force and effect. Please also send a copy of the request to the undersigned.

Sincerely,

Nancy B. Sonafrank, Northern Solid Waste Program Coordinator
For Heather T. Stockard
Solid Waste Program Manager

NS/ XD (EH/SW/FBKS - G:\EH\SW\2001\0132-BA005 Unalakleet.doc)

Enclosure: Permit 0132-BA005

cc w/enc.: Trustees for Alaska/Anchorage

Bcc w/enc.: Heather Stockard

**ALASKA DEPARTMENT
OF
ENVIRONMENTAL CONSERVATION
DIVISION OF ENVIRONMENTAL HEALTH
610 UNIVERSITY AVENUE
FAIRBANKS, ALASKA 99709-3643**

SOLID WASTE DISPOSAL PERMIT

Permit: **0132-BA005**

Date: October 9, 2001

This Solid Waste Disposal Permit is issued to the City of Unalakleet, to allow for the operation and maintenance of a Class III municipal solid waste landfill (including construction/demolition waste and commercial refuse) near Unalakleet, Alaska in Section 23, T. 18 S., R. 11 W., Kateel River Meridian, and a solid waste baler and temporary bale storage facility located within the city of Unalakleet in Section 3, T. 19 S., R. 11 W., Kateel River Meridian. This permit is subject to the conditions and stipulations contained in Appendices A and B, which are incorporated herein by reference.

This permit is issued under provisions of Alaska Statute 46.03, the Alaska Administrative Code, as amended or revised, and other applicable State laws and regulations.

This permit is effective upon issuance and expires **September 30, 2006**. It may be terminated or modified in accordance with AS 46.03.120.

Nancy B. Sonafrank
For
Heather T. Stockard
Solid Waste Program Manager

APPENDIX A - SPECIFIC CONDITIONS

I. SITE DEVELOPMENT

The permit holder shall:

- A. Comply with the designs and plans in the application dated September 19, 2001, as well as the following permit conditions. Additional modification may be requested, but must be authorized by a permit amendment, before that modification is effective.
- B. Ensure that all operations will accommodate the waste volume and are done in a manner that will facilitate landfill closure.
- C. Ensure that surface water runoff from outside the landfill does not flow onto the facility and over, into, or through uncovered or covered solid wastes by constructing and maintaining diversion structures, such as ditches or berms.
- D. Erect and maintain readily visible signs at the entrances to the baler trash collection site, and landfill with the following information legibly printed:

Facility Operator Identification
Operator/Owner Name
Conditions for Use
Emergency Phone Numbers

- E. Erect and maintain a sign at the baler trash collection site and at the entrance of the landfill site that lists items that may not be disposed of there such as: acids, corrosives, solvents, oily wastes, explosives, lead-acid batteries, hazardous wastes, radioactive wastes, or unsterilized medical waste.
- F. Erect and maintain readily visible signs at the baler building and the landfill directing users to the various disposal areas (e.g., the active disposal area, the salvage area) and listing pertinent rules for public use.
- G. Ensure that the site is managed in such a way as to prevent attracting wildlife, or domestic animals to the facility. Wastes will be stored in suitable containers prior to moving to the baler. If not buried immediately, solid waste bales shall be stored in the baler building cold storage area until bales can be transported to the landfill for burial.
- H. Construct and maintain fences and a locking gate at the landfill to control site access.

II. SITE OPERATION

The permit holder shall:

A. General Operating Procedures

1. Ensure that only domestic and commercial solid waste, construction and demolition wastes are disposed of at this site.
2. Maintain a controlled designated salvage area for the public. The area will be cleaned up on an annual basis and unused materials baled or placed in the active cell area for disposal. Salvage area cleanups will be conducted on a more frequent basis if the area becomes a litter, nuisance or safety problem.
3. Ensure that public access to the landfill and baler facility is controlled to reduce risks to health, and to reduce safety hazards.

B. Baler Facility Operations

1. Ensure that Baler Facility operations are conducted in the manner described in the Baler Facilities Operations Plan in the application dated September 19, 2001.
2. Pick up any litter that may occur at the dumpster area, baler facility and temporary bale storage area or that may have blown onto neighboring properties located within 200 feet of the facility on a weekly basis.
3. Control odors from both stored solid waste bales and wastes waiting processing at the site. Putrescible wastes may not be stored out of the Baler Building unless contained in dumpsters.
4. Control any surface water run-off from the site and ensure that it does not cause a violation of 18 AAC 70 water quality regulations.
5. Ensure that fires are prevented at the facility. Bales should not be added to the storage stockpile for at least one day, in order to screen for smoldering bales. Should a fire occur, it shall be extinguished properly, and the Department shall be notified immediately.
6. Ensure operating hours occur during reasonable times to prevent disturbing neighboring residences with noise due to traffic or operations at the facility.

II. SITE OPERATION (cont.)

C. Animal/Fish Waste

1. Ensure that animal carcasses and fish wastes are not placed in dumpsters or baled with other wastes. Animal carcasses and fish wastes should be double-bagged and delivered to the baler facility operator for disposal.
2. Ensure that a separate disposal area is constructed and maintained at the landfill site for disposal of animal and fish waste.
3. Ensure that animal wastes are limed and covered immediately with one foot of soil after each disposal at the landfill.
4. When it is not possible to transport animal carcasses and fish waste to the landfill in winter, store the wastes in an area not accessible to animals and birds. The wastes shall be placed in the landfill as soon as soils become workable in the spring.

D. Burial

1. Consolidate and/or bale all refuse. Cover top surfaces of bales with a minimum of six inches of compacted soil two times each week when soils are not frozen. Any unbaled solid wastes should be compacted in two-foot increments with a minimum of five passes of the dozer/ compaction equipment before applying six inches of compacted soil as operational cover. Burial will be required on a more frequent basis to reduce nuisances, animal attraction, or blowing litter if the Department determines there is a problem.
2. Ensure the working face is kept as small as practical to reduce the potential for windblown litter and for the attraction of birds and animals.
3. Ensure that solid wastes are not placed in surface waters.
4. Ensure that the maximum working face width for baled waste does not exceed 40 feet in width and the depth does not exceed 10 feet.
5. Ensure that the working face for unbaled wastes does not exceed 40 feet in width. The maximum height for unbaled refuse may not exceed 4 feet.
6. Cover any uncovered wastes with one foot of compacted soil as soon as the soils thaw and become workable in the spring.

II. SITE OPERATION (cont.)

D. Burial (Continued)

7. Ensure that all large containers (e.g., cleaned barrels or drums) are crushed and flattened to prevent voids in the fill. Ensure that all nonsalvageable drums are empty of fluids prior to crushing and burying. All fluids removed from drums will be properly disposed of in accordance with all applicable State and Federal laws, including but not limited to, RCRA, the Clean Water Act, the Clean Air Act, Title 46 of Alaska Statutes and 18 AAC 60.
8. Ensure that waste oils or oily wastes are managed in accordance with 40 CFR 279. Oil filters must be hot drained and crushed or incinerated prior to disposal.
9. Maintain a separation distance of 50 feet between the designated disposal area and the property boundary.
10. Ensure that scrap vehicles or automobiles have been drained of all petroleum products and coolants, and the lead-acid batteries have been removed prior to disposal at the site.
11. Ensure that refrigerators/freezers are drained of freon/fluids by a certified technician prior to disposal at the site.

E. Burning

1. Prohibit open burning on the working face and immediately extinguish any fires that occur on the working face.
2. Notify the Department of Environmental Conservation, Fairbanks Office, at 451-2108, if any fires occur on the working face.

F. Access

1. Construct and maintain on-site roads as necessary to ensure adequate traffic control. Adequate traffic control means that the site supervisor will maintain positive control of all persons who are within the baler facility and landfill boundaries, and that refuse will be deposited in approved locations. Dumping in unauthorized areas violates conditions of this permit and Alaska Administrative Codes.

II. SITE OPERATION (cont.)

G. Litter

1. Collect all windblown and littered refuse from the landfill site and along the landfill access road at least once each month during summer months and return it to the active disposal area for burial. All littered wastes on lands within 500 feet of solid waste facilities, whether windblown or dumped, will be collected and disposed of at a frequency necessary to prevent this litter from becoming an aesthetic nuisance.

H. Snow Control

1. Remove snow where possible from the disposal cell operations area prior to spring snowmelt.
2. Deposit any snow removed in an area away from the landfill working face to a place within the landfill and downslope from the working face area. Clean up any accumulated litter in that area after the snow melts.
3. Erect snow fences or berms as necessary to control blowing snow at the site.

III. PROHIBITIONS AND SPECIAL RESTRICTIONS

The permit holder shall:

- A. Prohibit discharge of firearms at the facility.
- B. Prohibit disposal of regulated asbestos containing material at this site. Non-regulated asbestos containing material may be disposed of on a case-by-case basis, with written approval of the ADEC Fairbanks office, if the site is in compliance with the requirements of 18 AAC 60.450(a)(1-3).
- C. Prohibit disposal of hazardous wastes, as defined in 40 CFR 261.3, oily wastes, waste oil, greases, paints, sludges, and chemical wastes at this facility unless written permission is obtained from the Department.
- D. Prohibit disposal of lead-acid vehicle batteries at this site. Batteries may be stored temporarily in a designated area in covered, leak-proof storage containers prior to their transport to a recycler or permitted disposal site.
- E. Prohibit storage of used oil, antifreeze or other bulk liquids in drums at the landfill site. Used

oil and other hazardous bulk liquids must be stored in a bermed and lined area located away from the landfill facility.

III. PROHIBITIONS AND SPECIAL RESTRICTIONS (cont.)

- F. Prohibit disposal contaminated soil that contains metals or other chemicals in concentrations that the Department determines poses an unacceptable risk to human health or the environment. Prohibit the disposal of contaminated soil which:
1. Contains concentrations of hazardous substances exceeding one or more of the applicable migration to groundwater levels set in 18 AAC 75.341 Table B1 or Table B2;
 2. Exhibits the characteristic of toxicity described in 40 C.F.R. 261.24(a); or
 3. Is determined by the Department under 18 AAC 75 to pose a migration to surface water threat. Soil contamination that does not exceed migration to groundwater levels may still be considered contaminated soil under 18 AAC 75.
- G. Prohibit the disposal of unsterilized medical waste. Medical waste must be must be decontaminated or sterilized, and then packaged to prevent a health hazard before disposing of in the landfill.
- H. Prohibit the disposal of bulk liquids at the site. Containers being disposed of must hold one gallon or less of liquid.

IV. MONITORING AND REPORTING

The permit holder shall:

- A. Visually monitor the site each month for signs of damage or potential damage from settlement, ponding, leakage, frost action, erosion, or operations at the site. The visual inspection should include observations for any violations of the permit conditions for the facility. Retain the results of visual monitoring in the operating record for the facility for review by employees or by ADEC during inspections.
- B. Maintain a set of site development and use plans and submit an updated copy to the Department showing current status of site development by December 31 each year.

IV. MONITORING AND REPORTING (cont.)

- C. Maintain an Operating Record in a readily accessible place in the community or at the landfill containing:
1. A copy of the permit application.
 2. A copy of the solid waste disposal permits.
 3. Operating plans described in 18 AAC 60.210(b)(9).
 4. Monthly visual inspection records.
 5. Staff training records (e.g. landfill operations, safety).
 6. Records of the volume of wastes received at the landfill or a demonstration showing how the facility meets Class III criteria (i.e. 5 tons/day).
 7. Location restriction demonstrations for minimum distance to runways or flood plains.
 8. Annually updated as-built drawings of the landfill.

V. CLOSURE AND RESTORATION

The permit holder shall:

- A. Notify the Department's Fairbanks/Northern Office at least thirty (30) days before the site is to be permanently closed and the equipment withdrawn.
- B. Ensure that a final cover is applied within 90 days after the last waste is deposited, and consists of a minimum of two feet of material. The top six inches will consist of soil, which will promote adequate water retention for the successful revegetation of the site with native vegetation or grasses.
- C. Ensure that the covered areas and drainage control structures are graded to promote and maintain surface water runoff, to prevent ponding and erosion, and to minimize the amount of water entering the solid waste.
- D. Develop and implement a vegetative cover plan for completed areas within the first growing

season after closure, using plant species recommended by the Alaska Plant Material Center (907) 745-4469.

- E. Complete additional surface restoration work if the Department determines that significant erosion, ponding, settlement, or lack of success with revegetation has occurred within five (5) years of facility closure.

V. CLOSURE AND RESTORATION (cont.)

- F. Prepare a survey as-built or record drawings showing the location, volume and type of waste deposited at the solid waste disposal site, and a legal description of the landfill property which would be found during a title search. Submit the as built to the ADEC Solid Waste Program, Fairbanks Office, within sixty (60) days of the final closure or expiration date of this permit.
- G. Within sixty (60) days after the entire facility is permanently closed to landfilling, file the survey as-built or record drawings of the area used as a landfill with the State Recorder's Office or other appropriate land records office approved by the Department. At the same time, file a notation informing future property owners that use of the land may not disturb the integrity of the final cover, cap, or other structures or devices installed as part of closure, unless approved by the Department. Submit proof of these recordings to this Department.
- H. Visually inspect the site annually during the spring, for at least 5 consecutive years following closure, to check for signs of damage from settlement or erosion. Maintain a record of the visual inspections documenting any problems and repairs, as necessary and maintain these reports in the operating record for the facility.
- I. Notify the Department at the end of the 5-year post-closure period with a description of the conditions at the site and photographs of the closed landfill area.

APPENDIX D - GENERAL PERMIT CONDITIONS

I. ACCESS AND INSPECTION

The permittee shall allow the Commissioner or his/her representative access to the permitted facilities at reasonable times to conduct scheduled or unscheduled inspections or tests to determine compliance with this permit, State laws, and regulations.

II. INFORMATION ACCESS

Except for information relating to trade secrets, submitted under a claim of confidentiality, and for which the Department has determined in writing that protection from disclosure is appropriate, all records and reports submitted in accordance with the terms of this permit shall be available for public inspection at the State of Alaska Department of Environmental Conservation, Fairbanks Office, 610 University Avenue, Fairbanks, Alaska 99709-3643.

III. CIVIL AND CRIMINAL LIABILITY

Nothing in this permit shall relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, including, but not limited to, accidents, equipment breakdowns, or labor disputes.

IV. AVAILABILITY

The permittee shall post or maintain a copy of this permit available to the public at the disposal facility.

V. ADVERSE IMPACT

The permittee shall take all necessary means to minimize any adverse impacts to the receiving waters or lands resulting from noncompliance with any limitation specified in this permit, including any additional monitoring needed to determine the nature and impact of the noncomplying activity. The permittee shall cleanup and restore all areas adversely impacted by the noncompliance.

VI. CULTURAL OR PALEONTOLOGICAL RESOURCES

Should cultural or paleontological resources be discovered as a result of this activity, work which would disturb such resources is to be stopped, and the State Historic Preservation Office, Division of Parks and Outdoor Recreation, Department of Natural Resources, is to be notified immediately (907-269-8721).

VII. APPLICATIONS FOR RENEWAL

Applications for renewal or amendment of this permit must be made no later than 30 days before the expiration date of the permit or the planned effective date of the amendment.

VIII. OTHER LEGAL OBLIGATIONS

The requirements, duties, and obligations set forth in this permit are in addition to any requirements, duties, or obligations contained in any permit that the Alaska Department of Environmental Conservation or the U.S. Environmental Protection Agency has issued or may issue to the permittee. This permit does not relieve the permittee from the duty to obtain any and all necessary permits and to comply with the requirements contained in any such permit or with applicable state and federal laws and regulations. All activities conducted by the permittee pursuant to the terms of this permit and all plans implemented by the permittee pursuant to the terms of this permit shall comply with all applicable state and federal laws and regulations.

IX. POLLUTION PREVENTION

In order to prevent and minimize present and future pollution, when making management decisions that affect waste generation, the permittee shall consider the following order of priority options: waste source reduction; recycling of waste; waste treatment; and waste disposal.